

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TORY BURCH LLC; RIVER LIGHT V, L.P.

Plaintiffs  
v.

YONG SHENG INTERNATIONAL TRADE CO., LTD; CONGDADA PENA; BINGFENG QUI; LI YAXIACHAI; LI BIN; et al.

Defendants.

**CIVIL ACTION NO. \_\_\_\_\_**

**APPLICATION TO SEAL FILE OF  
PLAINTIFFS' *EX PARTE*  
APPLICATION FOR A TEMPORARY  
RESTRANDING ORDER, ORDER TO  
DISABLE CERTAIN WEB SITES,  
ASSET RESTRAINING ORDER,  
EXPEDITED DISCOVERY ORDER  
AND ORDER TO SHOW CAUSE FOR  
PRELIMINARY INJUNCTION**

**[FILED UNDER SEAL PURSUANT  
TO 15 U.S.C. § 1116]**

Tory Burch LLC and River Light V, L.P. (collectively "Plaintiffs") hereby make application to this Court to file under seal, pursuant to 15 § U.S.C. 1116(d)(8), Plaintiffs' Application for an *ex parte* Temporary Restraining Order, Order to Disable Certain Web Sites, Asset Restraining Order, Expedited Discovery Order and Order to Show Cause for Preliminary Injunction ("Order"). In this action, Plaintiffs are requesting *ex parte* relief based on an action for trademark counterfeiting and cybersquatting arising under the Trademark Act of 1946, 15 U.S.C. §§ 1051 *et seq.*, as amended by the Trademark Counterfeiting Act of 1984, Public Law 98-473 (October 12, 1984), the Anti-Counterfeiting Consumer Protection Act of 1996, Pub. L. 104-153 (July 2, 1996), and the Prioritizing Resources and Organization for Intellectual Property Act of 2007, H.R. 4279 (October 13, 2008) (the "Lanham Act"). Sealing of the file is necessary to prevent Defendants from learning of these proceedings prior to execution and service of the Order. If Defendants were to learn of these proceedings prematurely, the likely result would be the destruction relevant documentary evidence and the hiding of assets, which would frustrate the purposes underlying the Trademark Counterfeiting Act and would interfere with this Court's power to grant relief.

If the Court grants the requested *ex parte* relief, Plaintiffs further request that the Court file be sealed until the date for hearing on the Order to Show Cause for Preliminary Injunction, as mandated by the statutory scheme under 15 U.S.C. § 1116(d)(8).

A Proposed Order Granting the Application to File Under Seal is submitted herewith.

Dated: New York, NY  
December 14, 2010

Respectfully submitted,

By: Scott Gelin

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V, LP*